

**REMARKS**

Claims 1-8, 10-12, 14-26, 28-30, and 32-36 are pending in the present application.

Claims 1, 7, 10, 12, 14, 17, 19, 25, 28, 30, and 32 have been amended and Claims 9, 13, 27, and 31 have been cancelled as a result of this response. Claims 1 and 19 are independent claims.

**Claim Rejection - 35 U.S.C. § 112 Second Paragraph Rejection**

Claims 7, 12, 25, and 30 have been rejected under 35 U.S.C. §112, second paragraph as being indefinite. This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed for the following reasons.

Applicants respectfully submit that claims 7, 12, 25, and 30 have been amended to replace the phrase “such as” with the phrase “including,” thereby obviating the rejection under 35 U.S.C. §112, second paragraph. Applicants respectfully submit that the enclosed amendments to claims 7, 12, 25, and 30 are non-narrowing amendments. Reconsideration and withdrawal of this rejection is respectfully requested.

**Example Embodiment of the Present Invention**

Example embodiments of the present invention are directed to a system and method, which combine a surveillance system or an intruding detection system with a pre-existing system, such as a wireless network used for data transmission and/or positioning. The combination of a surveillance system or an intruding detection system with a data transmission or positioning system allows a surveillance system or intrusion detection to be provided in an easier and/or more cost effective manner. Additionally, example system and method of the present invention may utilize electromagnetic signals.

**Claim Rejection - 35 U.S.C. § 102(e) Howell Rejection**

Claims 1-3, 5-10, 12-17, 19-21, 23-28, and 30-35 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,457,364 in view of Howell. This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed for the following reasons.

Howell discloses an intrusion detection system and a method of driving the intrusion detection system based on ultrasound signals. Howell discloses that the intrusion detection system is a dedicated surveillance system.

In contrast, as set forth above, the surveillance system and method of the present system are combined with a data transmission and/or positioning system. Such a feature is neither taught nor suggested by Howell.

On page 4 of the outstanding office action, the Examiner asserts that column 2, line 60-64 of Howell disclose a wireless local area network used for data transmission and/or positioning. However, applicants have examined column 2, line 60-64 of Howell and can find no such disclosure of a local area network used for data transmission and/or positioning. Further, applicants have studied the entirety of the Howell patent in detail and can find no teaching anywhere in Howell to implement the Howell intrusion detection system in a data transmission and/or positioning system. Accordingly, if the Examiner continues to maintain this rejection, applicants respectfully request the Examiner to indicate with specificity, the portion or portions of Howell which disclose such a feature.

Still further, applicants respectfully submit that Howell discloses a system based on ultrasound signals; in contrast, independent claims 1 and 19 recite electromagnetic signals. On page 3 of the outstanding office action the Examiner relies on column 1, line 27-30 of Howell to

teach electromagnetic signals. However, applicants have studied that portion of Howell and can find no mention of electromagnetic signals. Still further, applicants have studied the entirety of the Howell disclosure and can find no disclosure therein of electromagnetic signals. In the event that the Examiner chooses to maintain the rejection in view of Howell, applicants request the Examiner to point with specificity, the portion or portions of Howell which disclose the use of an electromagnetic signal. In the absence of such a teaching, applicants respectfully request reconsideration and withdrawal of the rejection based on Howell.

Applicants respectfully submit the depending claims 2-3, 5-8, 10, 12, 14-17, 19-21, 23-26, 28-30, and 32-35 are allowable by virtue of their dependency on allowable independent claims 1 or 19, for at least the reasons set forth above.

**Claim Rejection - 35 U.S.C. § 103(a) Howell/Edwards Rejection**

Claims 4, 11, 18, 22, 29, and 36 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Howell and further in view of U.S. Patent 4,684,929 in view of Edwards, et al.

Applicants respectfully submit that Edwards, et al. fails to make up for the deficiencies discussed above with respect to Howell in connection with independent claims 1 and 19. Accordingly, applicants respectfully submit the depending claims 4, 11, 18, 22, 29, and 36 are allowable by virtue of their dependency on allowable independent claims 1 or 19, for at least the reasons set forth above. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

**CONCLUSION**

In view of the above amendments and remarks, reconsideration of the various rejections and allowance of each of claims 1-18, 10-12, 14-26, 28-30 and 32-36 is respectfully requested.

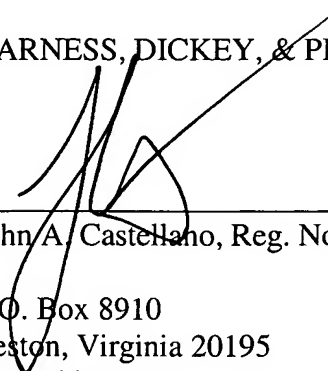
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John A. Castellano at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

  
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John A. Castellano, Reg. No. 35,094

P.O. Box 8910  
Reston, Virginia 20195  
(703) 668-8000

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